

STEVEN F. GRUEL (CSBN 213148)
Attorney at Law

315 Montgomery Street, 9th Floor
San Francisco, California 94104
Telephone Number (415) 989-1253
Fax Number (415) 829-4304
attystevengruel@sbcglobal.net

www.gruellaw.com

Attorney for Frankie Miller

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR-03-13-71441-MAG
)	
Plaintiff,)	STIPULATION AND [Proposed]
)	ORDER CONTINUING
Vs.)	HEARING DATE
)	
FRANKIE MILLER,)	
)	
Defendant.)	
)	
)	

The Court has set January 21, 2015 a 9:30 a.m. as the date for a preliminary hearing or arraignment. The parties hereby stipulate to reset the preliminary hearing or arraignment to January 27, 2015 at 9:30 a.m. and they request that the Court extend the time limits provided by Federal Rule of Criminal Procedure 5.1(c). This extension of time is necessary for the parties to explore a possible pre-indictment resolution, to produce and review discovery, and for effective preparation of counsel.

STIPULATION and ~~[Proposed]~~ ORDER

Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of time, and the parties represent that good cause exists for this extension, including the effective preparation of counsel. *See* Title 18 U.S.C. Section 3161(h)(7)(B)(iv). For the same reasons, the parties also request that the Court exclude from the time limits of Title 18 U.S.C. Section 3161 the period from the date of this order through January 27, 2015. The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant is a speedy trial. *See* Title 18 U.S.C. Section 3161(h)(7)(A).

DATED: 01/14/2015

_____/s/_____
STEVEN F. GRUEL
Attorney for Frankie Miller

DATED: 01/14/2015

_____/s/_____
KEVIN BARRY
Assistant United States Attorney

[~~PROPOSED~~] ORDER

For the reasons stated above, the Court sets January 27, 2015, as the date for the arraignment or preliminary hearing. The Court finds that extension of time limits applicable under Federal Rule of Criminal Procedure 5.1(c) from the date of this order through January 27, 2015, is warranted; that the ends of justice served by the continuance outweigh the interests of the public and the defendant in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation of counsel, taking into

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STIPULATION and ~~[Proposed]~~ ORDER

1 account the exercise of due diligence, and would result in a miscarriage of justice. Title U.S.C.
2 Section 3161(h)(7)(B)(iv).

3 IT IS SO ORDERED.

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6 DATED: 1/14/2015


HONORABLE JACQUELINE SCOTT CORLEY
United States Magistrate Judge

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STIPULATION and ~~Proposed~~ ORDER